

Remarks

Claims 1-20 are pending in the application. Claims 1-13 were rejected, claims 15-20 were allowed and claim 14 was objected to. By this Amendment, claims 1, 9 and 14 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 103

Claims 1-13 were rejected under § 103(a) as being unpatentable over U.S. Patent No. 3,219,335 issued to Burrige (hereinafter "Burrige '335") in view of U.S. Patent No. 3,736,702 issued to Pickles (hereinafter "Pickles '702"). Applicants have amended claim 1 to recite an apparatus for positioning a window that includes "a link pivotally connected to the carriage with a pin." Burrige '335 and Pickles '702, either alone or in combination, do not disclose or suggest a link that is pivotally connected to a carriage with a pin. In the Office Action, the Examiner looked to Burrige '335 for support, stating that T-shaped plate 17 was a link and connecting piece 20 was a carriage (see Office Action, page 2). T-shaped plate 17 is not pivotally connected to connecting piece 20 with a pin. Instead, connecting piece 20 "is formed as a sheet metal pressing and has a pair of part cylindrical portions 20a (see column 2, lines 33-35). Brackets 23 "are secured to plate 17" (see column 2, line 42). Rubber pads 22 engage the brackets 23 and the part cylindrical portions 20a (see column 2, lines 39-42). Thus, there is no pin as claimed. Consequently, the rejection of independent claim 1 has been overcome. Since claims 2-8 depend on claim 1, the rejection of these claims is believed to be overcome for the same reasons.

Claim 9 has been amended to include the limitations of claim 14, which was indicated to be allowable if rewritten in independent form. Thus, claims 9-14 are believed to be in condition for allowance.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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